

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Robert G. Creswell	<i>For U. S.:</i> Ben Baker Assistant U. S. Attorney <i>For Defendant:</i> 584-4724 Thomas D. Frasier (ret) Pythian Bldg., Tulsa James Frasier (Ret)

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 9-30-70	Clerk	7-17-72	Frasier	5 00	
J.S. 3 mailed 7-31-72	Marshal	7-20-72	C.D.No.4		5 00
Violation False statement to dealer in firearms Title 18	Docket fee				
Sec. 922(a)(6) and 924(a)					

DATE	PROCEEDINGS
9-10-70	Indictment, filed in open court. b
9-10-70	Record vote of the grand jury, filed in open court. b
9-10-70	Warrant for arrest of the defendant issued. b
3-17-72	Waiver of Counsel, filed. v
3-17-72	Transmittal of Process to Another District, filed. v
3-28-72	Hearing held on Arraignment. Parties present and represented. Deft. is advised of charge, waives reading indictment. Deft. is arraigned and enters plea of NOT GUILTY as to Counts 1 and 2. Deft. is given 10 days from this date to file motions. Deft. is to stand on present bond. Case to be set on next jury docket. (AEB-J)v
4-7-72	Application of Deft. for Continuance, filed. v -order to Judge.
3-21-72	Appearance bond of deft. in amt. of \$2500.00 (surety), filed. hm
3-21-72	Order specifying methods and conditions of release, filed. hm
4-7-72	Warrant of Arrest, ret. & filed: deft. Creswell arrested at Tulsa, Ok. 3-17-72. g
4-11-72	Order, filed, that deft. is granted 10 additional days to file motions. (AEB-J)hm (copies mailed)
4-17-72	Motion to dismiss, of defendant, filed. ds
4-17-72	Brief in support of motion to dismiss, filed. ds over

DATE	PROCEEDINGS
5-15-72	Case set for jury trial 5-22-72 at 9:30 a.m. (AEB-J)hm
5-15-72	Def. present in person and rep. by Thos. D. Frasier, ret. counsel. The govt. rep. by Ben Baker. Hearing called on motion of defendant to dismiss. It is adjudged the hearing on def's motion to dismiss, is hereby passed to Monday, 5-22-72 at 10:00 A.M. (AEB-J)h
5-22-72	It is ordered that this case is hereby transferred to Judge Luther Bohanon, for hearing on motions and trial. (AEB-J)h
5-22-72	Hearing held on deft's motion to dismiss. Testimony given by witnesses. Deft. present and represented. Arguments made. Ruling taken under advisement & will be given at 9:00 a.m., May 23, 1972. (LB-J)hm
5-23-72	Deft. not present but represented. Court rules that deft's motion to dismiss is overruled and case to be set for jury trial. (LB-J)hm
5-23-72	Order on deft's motions to suppress and dismiss, filed, that each are overruled. (LB-J)hm
5-24-72	Case tried to a jury. Deft. present and represented. Jury returns with verdict finding the deft. guilty as to each of Cts. 1&2. Jury polled and discharged. Deft. to stand on present bond and sentencing passed. (LB-J)hm
5-24-72	Instructions to Jury, filed in open court. hm
5-24-72	Verdict finding deft. <u>guilty</u> as to each of Cts. 1&2, filed. hm
5-24-72	Exhibits, filed. hm (Pltf's ex. 3&4 in vault)
5-26-72	Subpoenae, ret. & filed: served Robert Cramer & Robert McFarlin, Jr., g
5-26-72	Subpoenae, ret. & filed: served Don Cox and Lt. Harry Stege. g
6-21-72	Case set for sentence 7-6-72 at 9:30 a.m. (LB-J)hm
7-5-72	Ordered by the Court that bond of the deft. is suspended and bench warrant to be issued. (LB-J)hm Warrant issued.
7-6-72	Case called for sentencing. Deft. present & represented. Deft. & counsel asked if they have anything to say.
	Judgment and Sentence - Robert G. Creswell
	Atty. Gen. - Ct. 1 - Five (5) years
	Atty. Gen. - Ct. 2 - Five (5) years, to run concurrent with sentence imposed in Ct. 1.
	Deft. announces intention to appeal. Ct. advises deft. govt. will pay for costs of appeal if F/P affidavit is submitted. Govt. opposed setting of appeal bond and Court denies deft's request to set appeal bond. Deft. remanded to custody of U.S. Marshal. (LB-J)hm
7-6-72	Judgment and Commitment, filed and entered. (LB-J)hm
7-6-72	Two c/c of J& C delivered to U. S. Marshal. hm
7-17-72	Notice of appeal by defendant, filed. cpy to USCA, Ben Baker. g
7-18-72	Marshal's return of service of bench warrant, filed. Warrant returned unexecuted on 7/6/72; subject appeared in court as ordered on 7/6/72. rm
8-25-72	Order extending time to docket appeal to 10-10-72, filed. (LB-J)g (Cpies to USCA, Baker & Frasier.)
9-20-72	Transcript (orig. + file cpy) of proceedings at motions, trial & sentencing, filed. FMS-Rptr.g
9-20-72	Appeal record (2 vols.) sent to USCA. g
2-2-73	Mandate of USCA dismissing appeal for lack of prosecution, pursuant to Rule 14 of Revised Rules of USCA, 10th Circuit, filed.
2-20-73	Appeal record (2 vols.) recd. from USCA. g
1-18-79	Order, filed, that Clerk return exhibits to respective parties. (LB-J)rm-exhibits picked up by U. S. Attorney Snoke on 1/19/79.

FILED

MAR 17 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

RECORD OF PROCEEDINGS—MISCELLANEOUS

U. S. Court House, Tulsa, Oklahoma

(Address)

Magistrate's

70-CR-130

INDICTMENT

vs.

U.S.C. Title 18, § 922(a)(6), § 924(a)

(Nature of proceeding)

[illegible]

DATE

Certified to be a correct transcript of Docket Entries.

Dated March 17, 19 72

M. R. B. [Signature]

United States Magistrate